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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional applications under 37 CFR § 1.53(d))	CHECK BOX if applicable: <input type="checkbox"/> DUPLICATE
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Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Attorney Docket No. of Prior Application</td> <td style="width: 50%;">0942.4350001/RWE/BJD</td> </tr> <tr> <td>First Named Inventor</td> <td>Gruber et al.</td> </tr> <tr> <td>Examiner Name</td> <td>Tung, J.</td> </tr> <tr> <td>Group/Art Unit</td> <td>1656</td> </tr> <tr> <td>Express Mail Label No.</td> <td>AUG 30 2000</td> </tr> </table>	Attorney Docket No. of Prior Application	0942.4350001/RWE/BJD	First Named Inventor	Gruber et al.	Examiner Name	Tung, J.	Group/Art Unit	1656	Express Mail Label No.	AUG 30 2000
Attorney Docket No. of Prior Application	0942.4350001/RWE/BJD										
First Named Inventor	Gruber et al.										
Examiner Name	Tung, J.										
Group/Art Unit	1656										
Express Mail Label No.	AUG 30 2000										

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR § 1.53(d),
 (continued prosecution application (CPA)) of the prior application number 09 076,115,
 filed on May 12, 1998 entitled: Methods for Production and Purification of Nucleic Acid Molecules.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the application under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR § 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth in a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS citations



CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR § 1.16(c) or (j))	20-20* =	0	x \$ 18.00 =	\$ 00.00
	INDEPENDENT CLAIMS (37 CFR § 1.16(b) or (i))	2-3** =	0	x \$ 78.00 =	00.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR § 1.16(d))			x \$ 260.00 =	
				BASIC FEE (37 CFR § 1.16)	\$ 690.00
	Total of above Calculations =				690.00
	Reduction by 50% for filing by small entity (Note 37 CFR §§ 1.9, 1.27, 1.28).				
	* Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.			TOTAL =	690.00

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 19-0036:

- a. ☒ Fees required under 37 CFR § 1.16.
- b. ☐ Fees required under 37 CFR § 1.17.
- c. ☐ Fees required under 37 CFR § 1.18.

8. ☒ A check in the amount of \$ 690.00 is enclosed.9. ☐ New Attorney Docket Number, if desired _____

[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]

10. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)

- b.
- ☒
- Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

11. ☐ Other: A Petition for the Extension of Time for the Parent Application**NOTE:**

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)

Brian J. Del Buono

Signature

Registration No. (Attorney/Agent)

42,473

Date

August 28, 2000

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

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August 28, 2000



WRITER'S DIRECT NUMBER:

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Attn: Box CPA

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/076,115; Filed: May 12, 1998
For: **Methods for Production and Purification of Nucleic Acid
Molecules**
Inventors: Gruber *et al.*
Our Ref: 0942.4350001/RWE/BJD

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Continued Prosecution Application (CPA) Request Transmittal;
2. Check No. 28552 in the amount of \$690.00 to cover the filing fee;
3. Preliminary Remarks; and
4. Return postcard.

Commissioner for Patents
August 28, 2000
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It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Brian J. Del Buono", with a stylized flourish at the end.

Brian J. Del Buono
Agent for Applicants
Registration No. 42,473

BJD/nef
Enclosures